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EXAMINER

AKLILU, KIRUBEL

ART UNIT PAPER NUMBER

2617

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/804,619

Applicant(s)

HARRIS ET AL.

Examiner

Kirubel Aklilu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 March 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10, 13-16 and 18-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10, 13-16 and 18-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Amendment***

The Applicant's amendments to the Title, Specification and Drawings are deemed acceptable by the examiner.

### ***Response to Arguments***

Applicant's arguments filed 3/22/05 have been fully considered but they are not persuasive.

With respect to the Darbee reference, the Applicants argue "As the Darbee remote control is configured to transfer data to a personal computer and/or a set-top converter box, and is not configured to transfer data to the content provider or host system on the internet, the Darbee remote control is not web-enabled," and certainly is not configured to transfer said event data for each said media event to said control station via a network connection, as cited in amended claim 1. For at least this reason, Darbee fails to anticipate amended claim 1." The examiner respectfully disagrees. Darbee does indeed teach an embodiment wherein the remote control is web-enabled. See Darbee et al. col. 4 lines 19-32 "Those skilled in the art also will appreciate that, while cable, satellite, or broadcast television signals generally will provide the source for transporting information to the remote control (using, for example, receiving circuitry in the set-top

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box or the television itself, along with an IR or RF wireless link to the remote control), those broadcast signals need not provide in all instances the signal source for the remote control. For example, in some embodiments of the present invention, traditional broadcast sources such as cable, satellite and network broadcast channels may be bypassed and alternative data links to the remote control may be provided. Such links may include, for example, paging networks, FM SCA data links, modem links and/or other data links, **including wireless and non-wireless links to the Internet.**" As the recited passage clearly shows, Darbee does indeed teach the remote control to be "web-enabled" for the simple fact that information can be sent to the remote control using wireless and non-wireless links to the Internet. In addition, the examiner has also cited a pertinent reference by Allport (U.S. Patent # 6,104,334) that teaches a portable internet-enabled controller and information browser (such as Electronic Program Guides) for consumer devices (such as television system) that can easily be used to modify the remote control of Darbee to meet the limitations of Applicant's Claim.

In view of the above, the Examiner believes that the broadest interpretation of the presented claimed invention does in fact read on the cited reference for at least the reasons discussed above and as stated in the detail Office Action as follows. This Office action is now made final.

***Claim Rejections - 35 USC § 103***

Claims **1-10, 13-15, and 21** are rejected under 35 U.S.C. 103(a) as being unpatentable over Darbee et al. (U.S. Patent # 6,130,726) in view of Saib et al (U.S. Patent # 6,505,346).

1. As for **Claim 1**, Darbee et al. teach a active media content access system, comprising:

a housing (see Fig. 1, col. 6 lines 53-58, Abstract "The remote control device may comprise a housing . . .");

an electronic system disposed in said housing (see col. 2 lines 51-55 ". . . a remote control unit that is provided with a bidirectional communication capability and with intelligence for monitoring program selection data entered into the unit by a user") and configured to store event data relating to a plurality of media events, wherein said event data for each media event includes information for a current time, a current date, a current device, and/or a current channel associated with said media event (see col. 10 lines 18-20 "The data stored may include for example, a date stamp, time stamp and/or channel identification data.); and

a communication device disposed in said housing and electronically coupled to said electronic system (see col. 10 lines 29-32 "Alternatively, such an information

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transfer might be effected using an IR or RF link to a personal computer using a more conventional modem port.”),

Darbee et al. teach said communication device disposed in said housing and electronically coupled to said electronic system, said communication device being web enabled (see Darbee et al. col. 4 lines 26-32 “For example, in some embodiments of the present invention, traditional broadcast sources such as cable, satellite and network broadcast channels may be bypassed and alternative data links to the remote control may be provided. Such links may include, for example, paging networks, FM SCA data links, modem links and/or other data links, **including wireless and non-wireless links to the Internet.**”) and configured to upload said event data for each said media event to a control station via a network communication (see Darbee et al. col. 10 lines 24-29 “It is also possible for the software application running on the remote control unit 10 to cause, for example, stored program or content selection history data and, if desired, serial number, address or user identification data, to be transmitted to an associated set-top converter box and on to a given content provider or host system.” It is interpreted that the event data is transmitted from a remote control that is web enabled, to an associated set-top converter box, and eventually from the set-top-box to the host system using any form of network connection. This network connection, as the claim is written, does not have to be a direct Internet connection between the remote control and the host system.).

An input device coupled to said housing and electronically coupled to said electronic system, the input device, if selected, being configured to direct said electronic

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system to log said event data. Darbee does not expressly teach the input means connected to said electronic system to indicate when said electronic system should log event data comprised of said current time, said current date and said current channel. However, Saib et al disclose a remote control with a special button called "PRGM" for storing favorite channels into memory (see Saib et al col.1 lines 34-41 "the remote for the cable box has a favorite channel operation using a separate key labeled "PRGM" for adding favorite channels to a favorite channel queue in a semi-permanent way."). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the remote control of Darbee to include a specific button on the remote control, such as the "PRGM" button of Saib, for indicating when said electronic system should log event data comprised of said current time, said current date and said current channel. One of ordinary skill in the art would have been motivated to do this to make to give the user of the remote control more control over what event data is stored in the remote control. By having a special button designed to indicate when said electronic system should log event data, the user has the added option of storing event data related to a program the user is interested in but the program is broadcast on a channel the user typically does not watch.

2. As for **Claim 2**, Darbee et al. teach said input device includes a selection button. See Darbee fig. 1 unit 15 keypad and col. 6 lines 50-61 "As shown, the remote control device 10 may include on a top panel 12 thereof a LCD visual display 14 and a keyboard 15 including a volume Up and Down key 16, a channel Up and Down key 18,

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an EZ navigator, EZ NAV, key 20, an EZ information, EZ Info, key 22, an EZ Guide key 24 and an EZ Menu key 25, among others.” Channel Up and Down key 18 is interpreted to be a channel selection button.

3. As for **Claim 3**, Darbee et al. teach said input device includes a display and a key pad. See Fig. 1 unit 14 Display and unit 15 keypad. Col. 6 lines 52-54 “As shown, the remote control device 10 may include on a top panel 12 thereof a **LCD visual display 14 and a keyboard 15** including a volume Up and Down key 16, a channel Up and Down key 18,”

4. As for **Claim 4**, Darbee et al. teach said electronic system is capable of receiving user preference data relating to personal preferences. See Darbee et al. col. 3 lines 58-64 “ . . .it may be an object for the remote control to store only a subset of available program guide and/or advertising information. The subset can be limited for example, to specific channels, specific areas of interest, specific genres of programming, or specific times.”

5. As for **Claim 5**, Darbee et al. teach said control station is configured to communicate with a plurality of programming stations via the network connection for receiving updated television event information that is associated with said television event. See Darbee et al. col. 10 lines 32-43 “once data indicative of the particular viewing habits, content selection characteristics or interests of a particular remote control user or group



of users is transmitted to the content provider or host system, the content provider or host system may tailor additional programming, advertising or other content to be provided to the remote control unit 10.” The tailored programs are interpreted to be updated television event information associated with said television event.

6. As for **Claim 6**, Darbee et al. teach said control station is configured to compare said event data to said media event information to determine a type of information to send to said user. See Darbee et al. col. 10 lines 32-43 “once data indicative of the particular viewing habits, content selection characteristics or interests of a particular remote control user or group of users is transmitted to the content provider or host system, the content provider or host system may tailor additional programming, advertising or other content to be provided to the remote control unit 10.” The tailored programs are interpreted to be a type of information.

7. As for **Claim 7**, the modified Darbee et al. in view of Alexander et al. teaches said control station is programmable by said user to include information for said personal preferences. See Alexander et al. see col. 31 lines 25-33 “**At the viewer’s option**, the EPG and Profile program use the basic viewer profile data, the simple statistics collected about a particular viewer . . .to populate the Record List and/or the Watch List . . .” The fact that the user has the option to have the EPG and Profile program use the viewer profile to populate the Record and/or Watch list is interpreted to be the user programming the control station (the system that analyzes the viewer habit, which can

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be located the at the system headend, is interpreted to be the control station. see Alexander et al. col. 28 lines 14-21 "The viewer profile information (data collected concerning, and surrounding, a viewer's interaction with the television, the EPG (including the recording and watching functions), the Internet, the World Wide Web, and any other sources of information external to the EPG, but through which the viewer interact)) can be sent to a computer at the head end of television distribution for analysis" )

8. As for **Claim 8**, Darbee et al. teach said personal preferences include information related to said media event. See col. 3 lines 58-64 ". . . it may be an object for the remote control to store only a subset of available program guide and/or advertising information. The subset can be limited to specific channels, specific areas of user interests, specific genres of programming, or specific times"). The specific channels, specific areas of user interests, specific times are interpreted to be information related to said media event, which are part of the personal preference.

9. As for **Claim 9**, Darbee et al. teach said communication device is configured to communicate with said control station via a network. See Darbee et al. col. 4 lines 26-32 "In some embodiments of the present invention, traditional broadcast sources such as cable, satellite and network broadcast channels may be bypassed and alternative data links to the remote control may be provided. Such links may include, for example,

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paging networks, FM SCA data links, modem links and/or other data links, including wireless and non-wireless links to the Internet.”

10. As for **Claim 10**, Darbee et al. teach a method of using an active media content access system having an electronic system with a communication device and an input device (see fig. 1 remote control, keypad 14 is interpreted to be the input device, fig. 2 shows the electronic system of said remote control which is also interpreted to be a communication device), wherein said communication device is in communication with a control station (see col. 10 lines 24-29 “It is also possible for the software application running on the remote control selection history data . . . to be **transmitted** to an associated set-top converter box and on to a given content provider or host system”), said method comprising the steps of:

receiving a log event data indication from a user for a viewed television event (see Darbee et al. col. 6 line 62 – col. 7 line 2, “a second set of hot-keys for activating and controlling set-top or cable box features is also provided. Such keys may include, for example, an information, Info, key for accessing content broadcast by a local cable company, a Menu key for accessing a television or cable host menu, and a Guide key for accessing programming guide information broadcast by a cable company or other host network.” Activating or controlling a set-top-box to access content broadcasted by a local cable company is interpreted to be changing a device setting relating to a media event);

logging an event data within said electronic system, wherein said event data is comprised of a current date, a current time, a current device, and/or a current channel that is associated with a media event by a user at substantially the time of said logging of said event data (see Darbee col. 10 lines 20-23 "In embodiments where the remote control unit **10** is used in conjunction with a personal computer or web computer, the data stored may also include an internet address or URL designation stamp". And also see Darbee col. 10 lines 18-20 "The data stored may include for example, a date stamp, time stamp and/or channel identification data." It is interpreted that the event data stored is consumed at substantially by a user at substantially the time of said logging of said event data);

uploading said event data to said control station from said communication device, which is network enabled, via a network communication link (see Darbee et al. col. 10 lines 24-29 "It is also possible for the software application running on the remote control unit 10 to cause, for example, stored program or content selection history data and, if desired, serial number, address or user identification data, to be transmitted to an associated set-top converter box and on to a given content provider or host system." And col. 4 lines 26-33 "in some embodiments of the present invention, traditional broadcast sources such as cable, satellite and network broadcast channels may be bypassed and alternative data links to the remote control may be provided. Such links may include, for example, paging networks, FM SCA data links, modem links and/or other data links, including wireless and non-wireless links to the Internet." It is interpreted that the event data is transmitted from a remote control that is web enabled,

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to an associated set-top converter box, and eventually from the set-top-box to the host system using any form of network connection. This network connection, as the claim is written, does not have to be a direct Internet connection between the remote control and the host system.);

determining an identity of said media event from said event data (see Darbee col. 10 lines 20-23 "In embodiments where the remote control unit 10 is used in conjunction with a personal computer or web computer, the data stored may also include an internet address or URL designation stamp". And also see Darbee col. 10 lines 18-20 "The data stored may include for example, a date stamp, time stamp and/or channel identification data." It is interpreted that the event data stored is used to identify said media event data);

determining whether information is available regarding said media event (see Darbee col. 10 lines 38-43. "the serial number, address and/or user information maintained within the memory of the remote control unit 10 may be used to filter and/or parse data, including programming information, advertising or other content . . ."); and

providing said available information to said user (see col. 10 lines 32-38 "once data indicative of the particular viewing habits, content selection characteristics or interests of a particular remote control user is transmitted to the host, the host system may tailor additional programming, advertising, or other content to be provided to the remote control unit 10").

11. As for **Claim 13**, Darbee et al. teach the step of providing includes transferring said available information to said communication device via said web communication link. (see col. 10 lines 32-38 "once data indicative of the particular viewing habits, content selection characteristics or interests of a particular remote control user is transmitted to the host, the host system may tailor additional programming, advertising, or other content to be provided to the remote control unit 10" And col. 4 lines 26-33 "in some embodiments of the present invention, traditional broadcast sources such as cable, satellite and network broadcast channels may be bypassed and alternative data links to the remote control may be provided. Such links may include, for example, paging networks, FM SCA data links, modem links and/or other data links, including wireless and non-wireless links to the Internet." It is interpreted that a web communication link is used to transfer said available information to said communication device in an embodiment where traditional broadcast sources such as cable, satellite are bypassed and wireless or wire-line links such as the Internet are used.)

12. As for **Claim 14**, Darbee et al. do not expressly teach the step of providing includes sending an e-mail containing said available information to a computer that is associated with said user. Darbee does however teach that ". . . traditional broadcast sources such as cable, satellite and network broadcast channels may be bypassed and alternative data links to the remote control may be provided . . . such as wireless and non-wireless links to the internet" (see col. 4 lines 26-32). It is well known in the art that e-mail is a prominent means of sending information when Internet communication is available.

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Email is an attractive means of communication because the recipient has the option of accessing the email message at his/her convenient time. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Darbee's teaching to send an email containing said available information to a computer that is associated with a user to be of an e-mail format. One would have been motivated to send email containing available information to a user when Internet access was available between the remote control unit and its associated personal computer (see col. 10 lines 20-22 "In embodiments where the remote control unit 10 is used in conjunction with a personal computer or web computer . . ."). The host system and the user can access the email message at a time that is convenient to him/her.

13. As for **Claim 15**, Darbee et al. teach providing available information depending upon predefined user preferences. See col. 10 lines 32-38 "once data indicative of the particular viewing habits, content selection characteristics . . . is transmitted to the content provider or host system . . . host system may tailor additional programming, advertising or other content to be provided to the remote control unit 10."

14. As for **Claim 21**, Darbee et al. teach said network connection is a wireless network connection. (col. 4 lines 26-33 "in some embodiments of the present invention, traditional broadcast sources such as cable, satellite and network broadcast channels may be bypassed and alternative data links to the remote control may be provided.

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Such links may include, for example, paging networks, FM SCA data links, modem links and/or other data links, including **wireless and non-wireless links to the Internet.**")

Claims **16, 18-20**, and <sup>22-</sup>**23** rejected under 35 U.S.C. 103(a) as being unpatentable over Darbee et al. in view of Allport.

15. As for **Claim 16**, Darbee et al. teach a method of using a passive media content access system having an electronic system with a communication device and an input device (see fig. 1 remote control, keypad 15 is interpreted to be the input device, fig. 2 shows the electronic system of said remote control which is also interpreted to be a communication device), wherein said communication device is configured to communicate with a control station (see col. 10 lines 24-29 "It is also possible for the software application running on the remote control selection history data . . . to be **transmitted** to an associated set-top converter box and on to a given content provider or host system"), said method comprising the steps of:

programming a current date, a current time, a current device, and a current channel for a media event into said electronic system (see Darbee col. 10 lines 20-23 "In embodiments where the remote control unit **10** is used in conjunction with a personal computer or web computer, the data stored may also include an internet address or URL designation stamp". And also see Darbee col. 10 lines 18-20 "The data stored may include for example, a date stamp, time stamp and/or channel identification data.");



receiving a log event data indication from a user for a media presentation (see Darbee et al. col. 6 line 62 – col. 7 line 2, “a second set of hot-keys for activating and controlling set-top or cable box features is also provided. Such keys may include, for example, an information, Info, key for accessing content broadcast by a local cable company, a Menu key for accessing a television or cable host menu, and a Guide key for accessing programming guide information broadcast by a cable company or other host network.” Activating or controlling a set-top-box to access content broadcasted by a local cable company is interpreted to be changing a device setting relating to a media event);

logging event data for said media presentation within said electronic system at substantially the time of receiving said log event data indication, wherein said event data is comprised of a current date, current time, a current device, and a current channel for said media presentation (see Darbee col. 10 lines 20-23 “In embodiments where the remote control unit **10** is used in conjunction with a personal computer or web computer, the data stored may also include an internet address or URL designation stamp”. And also see Darbee col. 10 lines 18-20 “The data stored may include for example, a date stamp, time stamp and/or channel identification data.” It is interpreted that the event data stored is consumed at substantially by a user at substantially the time of said logging of said event data);

wirelessly transferring said event data to said control station via a wireless web link between said electronic system and said control station (see Darbee et al. col. 10 lines 24-29 “It is also possible for the software application running on the remote control

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unit 10 to cause, for example, stored program or content selection history data and, if desired, serial number, address or user identification data, to be transmitted to an associated set-top converter box and on to a given content provider or host system.”

And col. 4 lines 26-33 “in some embodiments of the present invention, traditional broadcast sources such as cable, satellite and network broadcast channels may be bypassed and alternative data links to the remote control may be provided. Such links may include, for example, paging networks, FM SCA data links, modem links and/or other data links, including **wireless and non-wireless links to the Internet.**” It is interpreted that the event data is transmitted from a remote control that is web enabled, to an associated set-top converter box, and eventually from the set-top-box to the host system using any form of network connection, such as a wireless link. However, Darbee et al. do not expressly teach a wireless web link between said electronic system and said control. The teaching of Darbee et al. as interpreted above is to have the remote control transmit the event data wirelessly to the set-top-box, and the set-top-box will transmit the event data using a wireless Internet link to a control station. In the same field of endeavor, Allport teaches a portable Internet-enabled controller and information browser for consumer devices, such as television system, configured to have a direct wireless internet link between said portable controller and a control station see Allport col. 8 lines 46-52 “Java applets or similar predefined functions may also provide a source of filters or other information and **may be downloaded from the internet or other data source.** Examples include: **recommended viewing or listening lists from well-known organizations or other critics;** IR command libraries;

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local TV schedules; and CD track data.” In light of the teaching of Allport, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the teaching of Darbee et al. to have a direct wireless link between said electronic system and a control station without going through the set-top-box as an intermediate node. One of ordinary skill in the art at the time the invention was made would have been motivated to have a direct wireless link between said electronic system and a control station to be able to upload/download information to and from a control station without the need for the set top box, in the event said electronic system is not in a close proximity to a set top box. It is interpreted that when a direct wireless link is available between said electronic system and a control station, the electronic system will directly upload event data information to the control station without having to first transfer the event data to a set-top-box); and

via the wireless web link, wirelessly receiving information relevant to said event data from said control station (see Allport col. 8 lines 46-52 “Java applets or similar predefined functions may also provide a source of filters or other information and **may be downloaded from the internet or other data source**. Examples include: **recommended viewing or listening lists from well-known organizations or other critics**; IR command libraries; local TV schedules; and CD track data.”).

18. As for **Claim 18**, Darbee et al. teach

determining an identity of said media event from said event data (see Darbee col. 10 lines 20-23 “In embodiments where the remote control unit **10** is used in conjunction

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with a personal computer or web computer, the data stored may also include an internet address or URL designation stamp". And also see Darbee col. 10 lines 18-20 "The data stored may include for example, a date stamp, time stamp and/or channel identification data." It is interpreted that the event data stored is used to identify said media event data);

determining whether said information is available regarding said media event (see Darbee col. 10 lines 38-43. "the serial number, address and/or user information maintained within the memory of the remote control unit 10 may be used to filter and/or parse data, including programming information, advertising or other content . . .")

19. As for **Claim 19**, Darbee et al. teach providing said available information to said user (see col. 10 lines 32-38 "once data indicative of the particular viewing habits, content selection characteristics or interests of a particular remote control user is transmitted to the host, the host system may tailor additional programming, advertising, or other content to be provided to the remote control unit 10");

20. As for **Claim 20**, Darbee et al. do not expressly teach the step of providing includes sending an e-mail containing said available information to a computer that is associated with said user. Darbee does however teach that ". . . traditional broadcast sources such as cable, satellite and network broadcast channels may be bypassed and alternative data links to the remote control may be provided . . . such as wireless and non-wireless links to the internet" (see col. 4 lines 26-32). It is well known in the art that e-mail is a

prominent means of sending information when Internet communication is available.

Email is an attractive means of communication because the recipient has the option of accessing the email message at his/her convenient time. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Darbee's teaching to send an email containing said available information to a computer that is associated with a user to be of an e-mail format. One would have been motivated to send email containing available information to a user when Internet access was available between the remote control unit and its associated personal computer (see col. 10 lines 20-22 "In embodiments where the remote control unit 10 is used in conjunction with a personal computer or web computer . . ."). The host system and the user can access the email message at a time that is convenient to him/her.

22. As for **Claim 22**, the modified Darbee et al. in view of Allport teach said electronic system is configured to execute code for a browser program configured to browse the network. (see Allport col. 24 lines 33-40 "Another possible method of creating screen layouts is through the use of the internet HTML (Hypertext Markup Language). The remote control 10 will be compatible with and understand most and preferably all of the constructs of HTML, which is used to define the layout of web pages.")

23. As for **Claim 23**, the modified Darbee et al. in view of Allport teach said electronic system is configured to receive web page information for a web page from said control

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station and display the web page via the browser program. (see Allport col. 24 lines 54-58 "For example, control of kitchen appliances, a web browser on an advanced TV, a security system, a baby monitor, etc. may be accomplished through options presented on the "other" screen 40. Another option could be a pre-loaded list of popular web sites from which useful information could be downloaded.")

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Allport (U.S. Patent # 6,104,334) teaches a system and method for displaying advertisements and program information wherein advertisements can be customized by the user's location.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kirubel Aklilu whose telephone number is 571-272-7342. The examiner can normally be reached on 9:00AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelly can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KA

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NGOC-YEN VU  
PRIMARY EXAMINER